



**Frederick County
Government
Frederick, Maryland**

News Release

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To ensure an open & transparent government process . . .

GARDNER CLARIFIES COUNTY EXECUTIVE AUTHORITY TO ISSUE EXECUTIVE ORDERS UNDER CHARTER GOVERNMENT

FREDERICK, MD – Frederick County Executive Jan Gardner today clarified the authority of the county executive to issue executive orders under the county's new form of Charter government. She emphasized that the purpose of an executive order was to keep the public informed of her management decisions that would impact the citizens and as a means of guaranteeing an open and transparent process in county government, which was a primary focus of her campaign for office.

Executive Gardner commented, "As the first county executive for Frederick County, one of my priorities is to ensure a smooth changeover to Charter government. We have transitioned from the five-member format of county commissioners to a county executive and county council. One of my roles under the Charter is to issue executive orders, and my first official executive order was meant to ensure open and honest government and fairness in the procurement process. The authority of county executives to issue executive orders is well established in other Maryland counties."

As confirmation, [County Attorney John Mathias issued a legal opinion](#) today stating that the county executive has the authority to issue an executive order. He clarified that Executive Gardner's first executive order (No. 01-2015) was an appropriate use of the county executive's authority under the Frederick County Charter. It addressed procurement and contracting issues within the executive branch of county government and falls within the broad grants of authority to the county executive in the Charter. The Charter specifically assigns these executive duties and responsibilities to the county executive. These are precisely the types of issues that an executive order is intended to address, he wrote.

Executive orders were also issued under the prior county commissioner form of county government. For example, they have in the past been used for declaring a local state of emergency caused by a weather event and then terminating the local state of emergency.

For additional information, contact Mr. Mathias at 301-600-1030 or via e-mail at jmathias@FrederickCountyMD.gov.

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